

**STATE OF SOUTH CAROLINA**

**COUNTY OF DARLINGTON**

**Rosa Richardson, as Parent and Guardian  
for Kendrick Richardson,**

**Plaintiff,**

**vs.**

**Walmart Inc.,**

**Defendant.**

**IN THE COURT OF COMMON PLEAS  
FOURTH JUDICIAL CIRCUIT  
C/A NO: 2021CP16**

**SUMMONS  
(Jury Trial Requested)**

**TO THE DEFENDANT ABOVE-NAMED:**

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to said Complaint on the subscriber at 814 West Evans Street, Post Office Box 1317, Florence, South Carolina, 29503 within thirty (30) days from the service hereof, exclusive of the date of such service; and in case of the failure to do so, judgment by default will be rendered against you for the relief demanded in the Complaint.

September 30, 2021  
Florence, South Carolina

s/ William J. Edwards S.C. Bar # 104633  
William J. Edwards  
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ATTORNEY FOR PLAINTIFF

**STATE OF SOUTH CAROLINA**

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**COMPLAINT  
(Jury Trial Requested)**

The Plaintiff, complaining of the Defendant herein, would respectfully allege as follows:

1. The Plaintiff is a citizen and resident of the County of Florence, State of South Carolina.
2. The Defendant, Walmart Inc., (hereinafter referred to as "Walmart") upon information and belief, is a corporation organized and existing under the laws of one of the States of the United States and owns property and transacts business in the County of Darlington, State of South Carolina.
3. Heretofore, the Plaintiff was customer in Walmart located at 1150 S 4<sup>th</sup> Street in Hartsville, South Carolina 29550 on December 3, 2020. The Plaintiff was walking with his mother to the check out section of the store.
4. While in the store, the Plaintiff, through no fault of his own, tripped on the base of a display in the action alley of the store, whose base protruded out in the traveled portion of the aisle as the display was in the middle of the base. No product was erected from its base to give notice that the base protruded into the traveled

portion of the aisle. The Defendant had been maintaining and exercising control over this display in it's store.

5. Prior to December 3, 2020, Walmart Inc. knew or should have known of the dangerous, hazardous, and otherwise defective conditions existing on and into the common elements of their business operations that caused Kendrick Richardson to sustain significant personal injury.
6. Upon information and belief, the Defendant had actual or constructive notice of the defects.
7. The injuries and damages to the Plaintiff were the direct and proximate result of one or more negligent, grossly negligent, careless, reckless, willful, and wanton acts and/or omissions and commissions on the part of the Defendant including the following:
  - (a) In creating a dangerous condition;
  - (b) In failing to use due care to discover risk and take safety precautions to warn or eliminate unreasonable risks and damages to customers, and the Plaintiff in particular;
  - (c) In failing to maintain the premises in a reasonably good safe working order and condition;
  - (d) In failing to warn the Plaintiff of the dangerous condition and allow this condition to exist;
  - (e) In failing to reasonably inspect and monitor its premises;
  - (f) In failing to exercise ordinary and reasonable care as a merchant in like and similar circumstances;
  - (g) In failing to keep the premises in a reasonable state of repair when the Defendant knew or should have known of the danger then and there existing;

- (h) In failing and omitting to remedy, fix or otherwise repair a dangerous condition under its direct control when it knew or should have known of its existence;
  - (i) In failing to exercise due care for the safety of its customers and invitees, and the Plaintiff in particular;
  - (j) In then and there violating the statutes and laws of the State of South Carolina in such cases provided; and
  - (k) In such other and further particulars as the evidence at trial may disclose.
8. As a direct and proximate result of the negligence, carelessness, recklessness, willfulness, wantonness, gross negligence, and unlawful and intentional conduct on the part of the Defendant, the Plaintiff, Kendrick Richardson, was greatly injured in and about his back, knees, legs, and other parts of the Plaintiff's body; the Plaintiff was rendered sick, sore, lame, disabled, bruised, and shocked thereby and continues to be so; that all of these injuries have caused the Plaintiff extreme and excruciating pain continuously until this date and the Plaintiff will suffer such pain in the future; and that the Plaintiff suffered severe bruises, lacerations, and contusions accompanied by great pain and suffering. The Plaintiff has suffered and will continue to suffer severe, continuing, and permanent injuries; has endured and will continue to endure great pain, suffering, and mental anguish which has caused and will continue to cause the Plaintiff to incur medical and health care expenses. The Plaintiff has been permanently deprived of the opportunity to live life as a normal person; has been deprived him of the ability to socialize within the community of his friends, all due to his disability which severely limits his movement and causes him great pain, suffering, mental anguish, and comfort now and in the future.

9. The Plaintiff is informed and believes that as a direct and proximate result of the negligent acts of the Defendant, the Plaintiff is entitled to recover damages from the Defendant for actual and compensatory damages for his personal injuries set forth herein an amount which is fair, just, and reasonable under the circumstances, plus reasonable costs, interest, and attorney fees to which they may be entitled to be determined by a jury.

**WHEREFORE**, the Plaintiff respectfully prays for judgment against the Defendant, for an award of actual damages in the amount to be determined by a jury, for the costs of this action, and for such other and further relief as this Court may deem just and proper.

September 30, 2021  
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